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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 MAYCOR ARNOLDO GAXIOLA-RUIZ
and JESUS RAMIREZ,

12 Defendants.

CASE NO. CR13-5695BHS

ORDER

13 This matter comes before the Court on Defendants' joint, unopposed motion for a
14 continuance of the trial date and the pretrial motions deadline. The Court, having considered the
15 unopposed motion, the affidavit of defense counsel in support of the motion and the Defendants'
16 speedy trial waivers makes the following findings of fact and conclusions of law:

17 1. Discovery is incomplete. The defense needs additional time to review discovery
18 detailing a ten-month investigation involving several confidential informants, multiple occasions
19 of surveillance and a number of controlled buys.

20 2. The defense will need additional time to perform its own investigation, consult with
21 possible expert witnesses and conduct legal research prior to preparing and filing pretrial
22 motions and undertaking trial preparation.

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

6. Defendants waived speedy trial through June 30, 2014.

NOW, THEREFORE, IT IS HEREBY ORDERED

That the trial date is continued from February 4, 2014, to June 10, 2014, at 9:00 a.m. Pretrial Conference is set for June 2, 2014, at 10:00 a.m. Pretrial motions are due by April 23, 2014. The resulting period of delay from January 21, 2014, to June 10, 2014, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

Dated this 23rd day of January, 2014.

Ben A. Carter

BENJAMIN H. SETTLE
United States District Judge